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# ELIMINATION OF APARTHEID AND ESTABLISHMENT OF A UNITED, DEMOCRATIC AND NON-RACIAL SOUTH AFRICA

## United Nations Trust Fund for South Africa

## Report of the Secretary-General

1. The United Nations Trust Fund for South Africa, established in pursuance of paragraph 2 of General Assembly resolution 2054 B (XX) of 15 December 1965, is made up of voluntary contributions from States, organizations and individuals, Governments of countries acting as hosts to refugees from South Africa, and other appropriate bodies. In accordance with that resolution, it is to be used for the following purposes:

(a) Legal assistance to persons persecuted under repressive and discriminatory legislation of South Africa;

(b) Relief of such persons and their dependants;

(c) Education of such persons and their dependants;

(d) Relief of refugees from South Africa.

2. The General Assembly, in its resolution 48/159 D of 20 December 1993 commended the Secretary-General and the Committee of Trustees of the Trust Fund for their persistent and worthy efforts throughout the years to promote humanitarian and legal assistance to the victims of apartheid and racial discrimination. It expressed its conviction that the Trust Fund had an important role to play during the final stage of the elimination of apartheid by assisting efforts in the legal field aimed at ensuring effective implementation of legislation, repealing major apartheid laws and encouraging increased public confidence in the rule of law.

3. Since the last report of the Secretary-General, dated 25 October 1993 (A/48/523), the Trust Fund has received contributions from Governments totalling $111,660 as follows:

| Member State | (United States dollars) |
|---|---|
| Austria | 100 000 |
| Namibia | 500 |
| New Zealand | 11 160 |
| | 111 660 |

4. During the period under review, and in accordance with the decisions of the Committee of Trustees, grants totalling $2,130,500 have been made from the Trust Fund. The total income of the Trust Fund since its inception, including interest, is $50,409,850, and the total amount of grants made is $49,981,474, including those made during the period under review.

5. The Secretary-General has the honour to transmit the report of the Committee of Trustees of the United Nations Trust Fund for South Africa on its work since the date of the last report (see annex). The Committee's recommendations are contained in paragraph 13 of its report.

ANNEX

Report of the Committee of Trustees of the United Nations Trust Fund for South Africa

1. The United Nations Trust Fund for South Africa was established in 1965 a/ as a programme of legal, educational and relief assistance to political prisoners and their families and to refugees and other victims of apartheid. It was conceived as a humanitarian component of the United Nations commitment to the peaceful elimination of apartheid.

2. Its original mandate was expanded by the General Assembly in its resolution 46/79 F of 13 December 1991 to include, inter alia, assistance to facilitate the reintegration of political prisoners and returning exiles into South African society, as well as legal assistance aimed at redressing continuing adverse effects of apartheid laws.

3. In December 1993, the General Assembly, by its resolution 48/159 D of 20 December 1993, expressed its conviction that the Trust Fund had an important role to play during the final stage of the elimination of apartheid by assisting efforts in the legal field aimed at ensuring effective implementation of legislation repealing major apartheid laws and encouraging increased public confidence in the rule of law.

4. Since it was established in 1965, the Trust Fund has spent $50 million on programmes of humanitarian, legal and educational assistance within the purview of its mandate. Thousands of victims of apartheid owe their very survival and hopes for the future to the activities of the Trust Fund.

5. In the execution of its mandate, the Committee made grants to the Office of the United Nations High Commissioner for Refugees, and to voluntary agencies, principally located outside South Africa, whose dedication and commitment has remained exemplary throughout the years: the International Defence and Aid Fund for Southern Africa, Amnesty International, the World Council of Churches, the Freedom from Fear International Charitable Foundation, Christian Action (Southern Africa Education Fund), the Lawyers Committee for Civil Rights under Law, the Executive Council of the Episcopal Church, the International Confederation of Free Trade Unions, the International University Exchange Fund, the National Council of Churches of Christ, the South African Council of Churches, the National Council of Churches and the Catholic Institute of International Relations.

6. Over the past three years, in the light of positive developments in South Africa and the expanded mandate from the General Assembly, the Committee has provided assistance directly to South African voluntary agencies involved particularly in constitutional and human rights litigation, land and housing issues and legal representation for disadvantaged communities, children's rights, gender discrimination, needs of marginalized youths and environmental issues. These agencies, which are all based in South Africa and whose professionalism, impartiality and dedication have been widely recognized are the South African Legal Defence Fund, the Association of Ex-Political Prisoners, the

Legal Resources Centre, the National Association of Democratic Lawyers and the Black Lawyers Association.

7. Through these agencies, the Trust Fund also contributed to the training and deployment of paralegals to assist disadvantaged communities and promote a culture of human rights in South Africa.

8. The Committee of Trustees of the United Nations Trust Fund for South Africa is currently composed of the following members:

Mr. Peter Osvald (Sweden), Chairman
Professor Ibrahim Gambari (Nigeria), Vice-Chairman
Mr. Juan Somavia (Chile)
Mr. Ahmed Snoussi (Morocco)
Mr. Jamsheed K. A. Marker (Pakistan)

9. Since 25 October 1993, the date of the last report (A/48/523), the Committee of Trustees decided on five grants from the Trust Fund, within its terms of reference as laid down in General Assembly resolution 48/159 D of 20 December 1993 as follows:

| Grant No. | Date of Decision | Amount (US dollars) | Purpose* |
|---|---|---|---|
| 197 | 13 April 1994 | 1 083 500 | (a) |
| 198 | 13 April 1994 | 283 500 | (a) and (c) |
| 199 | 13 April 1994 | 333 500 | (a) |
| 200 | 13 April 1994 | 200 000 | (a) |
| 201 | 13 April 1994 | 230 000 | (c) |

* As given in para. 1 of the report of the Secretary-General above.

10. The Committee of Trustees noted with satisfaction the continued support of the United Nations during the period under review for the constitutional settlement in South Africa and its readiness to assist the people of South Africa in the country's first universal-suffrage election. On 14 January 1994, the Security Council unanimously adopted resolution 894 (1994) expanding the mandate and size of the United Nations Observer Mission in South Africa (UNOMSA). UNOMSA, which had previously worked in close cooperation with the structures set up under the National Peace Accord, assumed an important role in monitoring the elections, in coordination with a core group of international observers provided by the Organization of African Unity, the Commonwealth, the European Union and other intergovernmental organizations, and Governments.

11. The first universal-suffrage elections in South Africa were held from 26 to 29 April 1994 and were declared free and fair by the Independent Electoral Commission and international observers.

12. On 9 May, the new Parliament unanimously elected Mr. Nelson Mandela as the State President of the Republic of South Africa. His inauguration took place at Pretoria the following day.

13. Under these extraordinary circumstances, which ushered in a new, non-racial constitutional order in South Africa, the Committee of Trustees decided at a meeting on 31 May 1994 to recommend to a resumed meeting of the General Assembly at its forty-eighth session that the Committee had fulfilled its mandate. It further decided to recommend that the balance in the Trust Fund be transferred to the United Nations Educational and Training Programme for Southern Africa for use in its educational and training projects in South Africa. The Committee also noted with satisfaction that arrangements were being made with the Comptroller's office to ensure accountability for the last grants made by the Committee of Trustees at its meeting on 13 April 1994.

14. Taking into account the need to address the legacies of apartheid, the Committee decided further to call on members of the international community to provide financial and material support to the reconstruction and development efforts of the new South African Government and to continue to assist civic society in South Africa.

15. The Committee of Trustees would like to express its gratitude to the donor countries without whose steadfast and generous contributions its work could not have been accomplished, to the voluntary agencies for their professionalism and dedication beyond the call of duty, to the host countries of refugees, and to the countless men and women throughout the world and in South Africa who, sometimes at great risk to themselves, ensured that legal, educational and relief assistance to thousands of opponents and victims of apartheid could be effectively rendered.

16. The Committee wishes finally to record its deep thanks to the Secretary-General for his encouragement and untiring support to the Committee's work for nearly three decades.

## Notes

a/ See para. 1 of the report of the Secretary-General above.

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